

MINUTES

COMMISSION ON LOCAL GOVERNMENT

Regular Meeting

10:15 a.m., January 5, 2006

Members Present

John G. Kines, Jr., Chairman
Harold H. Bannister, Jr., Vice Chairman
Frances M. Parsons
Kathleen K. Seefeldt

Members Absent

(The fifth position on the Commission was vacant due the expiration of the term of Commissioner Williams.)

Others Present

Ted McCormack, Associate Director
Steve Ziony, Senior Economist
Adria Graham Scott, Senior Policy Analyst
Barbara Johnson, Administrative Assistant

Call to Order

The Chairman called the meeting to order at 10:15 a.m., January 5, 2006 in the Board Room of the Department of Housing and Community Development in Richmond.

I. Election of Officers for 2006

The Commission unanimously elected Mr. Harold H. Bannister, Jr. as Chairman and Mrs. Kathleen K. Seefeldt as Vice Chairman for 2006.

[Mr. Bannister assumed the Chair at this point in the meeting.]

II. Administration

A. Approval of Minutes of Regular Meeting of November 10, 2005

The minutes of the Commission's regular meeting of November 10, 2005 were approved without amendment.

B. Public Comment Period

The Chairman opened the floor to receive comments from the public. No person appeared to testify before the Commission during the public comment period.

C. Presentation of Financial Statement for December 2005

The Associate Director noted that the member's packet for the current meeting included a copy of an internally produced financial statement covering the Commission's activities for the period July 1, 2005 through December 31, 2005. He reported that the financial statement contained data for six months or one-half of the fiscal year and that the document showed agency expenditures of approximately \$133,500 or almost 40% of appropriations. The Commission accepted the financial report for filing.

D. Associate Director's Report

1. Promotion of Ms. Barbara Johnson

The Associate Director indicated that on December 25, 2005, Ms. Barbara Johnson was promoted to the full-time classified position of Administrative Assistant with the Commission. Mr. McCormack noted that she had been working for the Commission in a part-time capacity since June 1991. He advised that the Commission's appropriation for the 2005-06 Fiscal Year contained authorization to upgrade the position to full-time status, and Ms. Johnson successfully competed for the position. The Associate Director observed that the Commonwealth was fortunate to have retained someone of Ms. Johnson's skills and experience.

2. **Reappointment of Mrs. Williams**

The Associate Director reported that the term of office for Commissioner Williams expired at the end of December 2005 and that the Governor did not reappointed her. Mr. McCormack indicated that Mrs. Vola Lawson, retired Alexandria City Manager, had been selected to replace her, but a prior commitment had prevented Mrs. Lawson from being present at the current meeting. At the conclusion of the Associate Director's presentation, the Commission directed that a resolution of appreciation be prepared for their review and presentation to Mrs. Williams at a future meeting.

3. **Revision of Commission Regulations**

The Associate Director reported that subsequent to the Commission's adoption of the final versions of its Public Participation Guidelines and Regulations at the November meeting, he had secured approval from the Attorney General for both documents. Mr. McCormack indicated that the final documents were then submitted to the Department of Planning and Budget for review, but due to the change in administration, it may be July 2006 before approval to publish the final regulations is received.

4. **Town of Onley – County of Accomack Annexation Issue**

The Associate Director reported that at the request of the Town of Onley and Accomack County, Chairman Kines had postponed the

Commission's review of the Town's annexation request scheduled for December 12, 2005. Mr. McCormack advised that the parties had requested the delay in order to discuss the potential for settlement of the annexation issue. He noted that the possible location of a large retail operation on the boundary between Onley and the County may have been the genesis for the joint request. The Associate Director stated that a representative for the Town had indicated that if the discussions with the County are unavailing, Onley may request that the Commission reschedule its review of the annexation request.

5. Potential Interlocal Issues

Mr. McCormack noted that included in the member's packet for the current meeting as a list of potential boundary change and governmental transition issues that may be filed with the Commission in the future. The Associate Director stated that the information on the report had been compiled from a number of official and unofficial sources. Based on the data contained in the report, he indicated that the Commission may be requested to review at least one interlocal issue within the coming calendar year.

6. Meeting Per Diem

The Associate Director stated that, in accordance with the Commission's Policy on compensation and reimbursement, per diem would be paid to Mrs. Parsons for her travel on January 4, 2006, and all

members present for their service to the Commonwealth on January 5, 2006.

7. Staff Presentations

The Associate Director noted that he and Ms. Scott will be attending a meeting of the Planning District Commission Executive Directors on Friday, January 6, 2006 in Charlottesville. Mr. McCormack also advised that his meeting with the Prince Edward County Boundary Adjustment Committee was postponed due to inclement weather, but it has been rescheduled for Tuesday, January 10, 2006. In closing, he indicated that he had been requested to speak at a meeting of the Deltaville Community Association on January 19, 2006 on the subject of town incorporation.

III. Catalog of Mandates

A. Preliminary Staff Comment

Mr. McCormack stated that he had previously mailed to the members selected excerpts from the 2006 edition of the Catalog of State and Federal Mandates on Local Governments that included the introduction, a description of the changes in mandated that occurred since the publication of the previous edition of the catalog, and a summary of the number and type of State mandates imposed on local governments. The Associate Director reported that in conjunction with his efforts to update the catalog, he had contacted more than 60 State agencies regarding new and eliminated mandates. He then discussed with the members the proposed changes from the preceding edition and observed that

the forthcoming catalog would reflect a net increase of only one mandate administered by executive agencies of the Commonwealth. In closing, Mr. McCormack requested the Commission's authority to release the report for public distribution.

B. Commission Deliberation and Action

The Commission expressed concurrence with the various changes proposed in the 2006 edition and authorized the staff to proceed with the publication of the revised catalog.

IV. Staff Legislative Activities for 2006

The Associate Director reported that for the next 60 days a major portion of the time of the staff of the Commission would be engaged in two principal activities with respect to the 2006 General Assembly Session, the fiscal impact of proposed legislation and tracking legislation for the Governor's Policy Office. Mr. McCormack stated that the member's packet for the current meeting contained two documents that described the process by which fiscal impact statements would be prepared on any proposed legislation that would mandate a new or expanded local government service or which would restrict a local government revenue resource. He noted that the bills to be reviewed would be selected by the Division of Legislative Services and that the legislation of highest priority would be distributed to a volunteer group of 20 counties and 12 cities for their input on the potential impact. The Associate Director indicated that once the information was received from the localities, the Commission's staff would synthesize the local data and prepare a consolidated impact statement that would be forwarded to the Clerk of the House of Delegates for distribution to the sponsor of the legislation and the chairman of

the appropriate committee that would review the bill. Mr. McCormack also noted that the completed fiscal impact statement would be made available to the public and localities on the Legislative Information System. The Associate Director also described the staff's responsibility to track bills for the Governor's Policy Office. He indicated that process involved the preparation of an initial written analysis of each assigned bill, and he distributed a sample of such a document that had been completed by the staff during the 2003 General Assembly Session. He stated that for 2005, approximately 65 pieces of legislation were followed for the Governor Policy Office. Mr. McCormack also indicated that to date, there has been no legislation introduced affecting the Commission or its areas of responsibility, but he advised that according to published reports, a bill may be introduced to tighten the process by which a city could revert to town status. In closing, he advised that the staff would send periodic reports on legislation of particular interest to the Commission.

V. Other

The Associate Director advised that at the November regular meeting the Commission requested that the staff propose a program to educate local government on the topic of mandates and the Commission's role in the cataloging and assessment of mandates. Mr. McCormack reported that Mrs. Graham Scott had developed some alternative approaches, and with the permission of the Chairman, he requested that she discuss one initiative with the members. Mrs. Graham Scott distributed to the members copies of a presentation that may be suitable for posting on the Commission's website and to use for a program at the annual conferences of the Virginia Municipal League and the Virginia Association of Counties, and she briefly reviewed the major points covered in

the presentation. She also noted other possible initiatives, such as obtaining input from localities and the local government associations concerning the reauthorization of the mandate assessment program. The members thanked Mrs. Graham Scott for her efforts to date and discussed briefly several items included in her presentation. Chairman Bannister also requested that the staff keep the Commission apprised of efforts to renew the executive memorandum that governs the process by which executive branch agencies assess the impact of the mandates they administer.

VI. Scheduling of Next Regular Meeting

The next regular meeting was scheduled for March 13, 2006 at 10:00 a.m. at the Commission's offices in Richmond, Virginia.

VII. Adjournment

The meeting was adjourned at 11:40 a.m.

Harold H. Bannister, Jr.
Chairman

Ted McCormack
Associate Director